

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	
SHANNON MICHELLE DRAKE	:	1:16CR205-2
RONALD KEITH EARNEST	:	1:16CR205-3
ROBERT THOMAS TAYLOR	:	1:16CR205-4

GOVERNMENT'S RESPONSE IN COMPLIANCE WITH THE COURT'S
TEXT ORDER OF JULY 1, 2021 CONCERNING DISCLOSURE OF GRAND
JURY MATERIALS AND SEALED DOCUMENTS

NOW COMES the United States of America, by and through Sandra J. Hairston, Acting United States Attorney for the Middle District of North Carolina, and hereby responds in compliance with the Court's Text Order of July 1, 2021, concerning the request of non-party movants for disclosure of grand jury materials and sealed documents in the above-captioned case. (TEXT ORDER 7/1/21, Referencing Dkt. #535).

Non-party movants Smith Moore Leatherwood, LLP and Fox Rothschild, LLP ("Movants") seek an order requiring disclosure of (a) grand jury matters and (b) certain sealed filings in the above-captioned case. (Dkt. #535). Following acquittal, Drake, Earnest and Taylor, along with their former employer GrandSouth Bank, sued Smith Moore Leatherwood, LLP and Fox Rothschild, LLP, in South Carolina state court. (*Id.* at 1). Movants seek

disclosure of information stating they believe it relevant to the pending civil actions and Movants' defense therein. (*Id.* at 1-4). Movants advise they are parties to a consent confidentiality order in the civil actions. (*Id.* at 4-5). Movants further ask that the Court "order disclosure of *all grand jury materials leading to the indictment* of Ms. Drake, Mr. Earnest, and Mr. Taylor, and disclosure of the sealed filings pertaining" to those individuals as listed in Paragraphs 4 and 5, subject to designation under the confidentiality order. (Dkt. #535 at 6)(emphasis added).

The government objects to the disclosure of any and all grand jury materials that were not part of the public record introduced at trial in cases 1:16CR205-2, 1:16CR205-3 and 1:16CR205-4 or such material that has not been made otherwise publicly available or previously disclosed by the Court.

This the 7th day of July, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2021, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notice of filing to all parties of record.

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